

- b. ☐ after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus: ☐ the certification of paragraph 2 below is provided, or ☐ a fee of \$180.00 is enclosed.
- c. ☐ after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed.
2. It is hereby certified:
- ☒ that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56 (c) more than three months prior to the filing of the Statement.
3. ☐ Consideration of the following additional information (including any co-pending or abandoned U.S. applications, prior uses and/or sales, etc.) is requested:
4. For each non-English language reference listed on the attached Form PTO-1449:
- ☐ reference is made to an English language translation submitted herewith, and/or
- ☐ reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or
- ☐ reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or
- ☐ reference is made to the concise explanation contained in the specification of the present application at page(s) _____, and/or
- ☐ reference is made to the concise explanation set forth below:
5. ☐ Applicant also offers the following comments for the Examiner's consideration:

6. ☒ Also enclosed is a copy of a foreign search report citing these references.
7. ☐ The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.
8. ☐ Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.

If any required fees are missing, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5681-43400/BNK.

Respectfully submitted,



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Form PTO-1449 (modified)
 List of Patents and Publications
 For Applicant's Information
 Disclosure Statement
 (Use several sheets if necessary)

ATTY. DKT. NO. 5681-43400

APPLICANT: Phelps, et al

FILING DATE: November 1, 2001

SERIAL NO. 10/034,919

GROUP: 2165

U.S. PATENT DOCUMENTS

EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DAT IF APPROPRIA
	A1	5,805,822	9/8/98	Long, et al			
	A2	5,448,721	9/5/95	Kaneko			
	A3	5,392,291	2/21/95	Berkovich, et al			
	A4	5,440,538	8/8/95	Olsen			
	A5	5,084,816	1/28/92	Boese, et al			

FOREIGN PATENT DOCUMENTS

EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATI YES/NO
	A6	0848327	6/17/98	EP			

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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	A7	International search report application no. PCT/US02/35097 mailed 3/28/03

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.